CTS - 02 AUTHORITY: MCL 400.271 et seq. PENALTY: civil, criminal

#### RENEWAL SOLICITATION FORM

**Charitable Organizations and Solicitations Act (COSA)** 

#### Who should file this form?

Charitable organizations:

- Renewing their solicitation registration;
- Whose prior solicitation registration has expired. If your registration has expired, provide copies of any changes to your organizing documents, bylaws, IRS status, or charitable purposes since your previous submission.

#### Who should <u>not</u> file this form?

- Charitable organizations filing for the first time to solicit in Michigan. Instead, use Form CTS-01;
- Organizations exempt from registration. See Form CTS-03, Request for Exemption.

#### **INSTRUCTIONS**

#### **GENERAL INFORMATION**

**Extensions** – Your solicitation registration will expire 7 months after the close of your fiscal year (financial accounting period). Your renewal form is due 30 days before the expiration of your registration. If you need an extension of time to file the Renewal Solicitation Form, it must be requested in writing before your registration expires. Your registration expiration date will be extended for 5 additional months.

**Use of file number** – The organization has been assigned a file number that must be used on correspondence and forms sent to this office. Your file number will be printed on the registration.

**Fees** – There is currently no fee to register to solicit in Michigan.

Filing the renewal form – You may renew your registration by email, efiling, fax, or by mail. For faster processing, use email or efiling.

<u>Email</u> - The Form and all required documents should be attached in PDF form.

<u>Efile</u> – On the Attorney General's website, <u>http://www.michigan.gov/agcharity</u>, scroll down to the link for How to E-File or Mail Your Forms.

Mail - Send the Renewal Solicitation Form to:

Department of Attorney General Charitable Trust Section PO Box 30214 Lansing, MI 48909

Telephone: (517) 373-1152 Fax: (517) 241-7074

For additional information, visit our website at <a href="https://www.michigan.gov/agcharity">www.michigan.gov/agcharity</a>.

Verify that we have received your filing Search for the organization at

www.michigan.gov/AGCharitySearch. The search results will state, "Application/registration pending."

#### SPECIFIC INSTRUCTIONS

To avoid delays and unnecessary correspondence, answer <u>all</u> questions completely.

Name – Enter the organization's <u>exact legal name</u> on the renewal form. This will be the same name as is currently on the articles of incorporation or other organizing document. If you use any names other than the legal name, enter each name on the solicitation form in the space *All other names under which you intend to solicit.* 

Item 2. If your charitable purposes or activities have changed since submitting your last registration form, summarize in 50 words or less the organization's current charitable purposes. This summary will be added to our database and our searchable website. Do not simply quote or refer to the articles of incorporation or provide the standard IRS 501(c)(3) language.

Item 3. A Michigan resident agent must be named for the acceptance of process issued by any court. The renewal form will not be processed without this information. You must provide a street address, not a P.O. box. The organization cannot name itself, the Michigan Attorney General, or the

Michigan Secretary of State as its resident agent. You may designate a private individual residing in Michigan. If you need information on companies that will act as resident agent for a fee, you may wish to do your own internet research. Our office does not provide lists of such companies.

**Item 9.** The engagement and compensation of all professional fundraisers and fundraising consultants providing services on Michigan campaigns must be reported in the schedule.

A professional fundraiser (PFR) is anyone who "plans, conducts, manages, or carries on a drive or campaign of soliciting contributions for or on behalf of a charitable organization." This includes fundraising consultants who assist with organizing or structuring solicitation activities, as well as those who actually conduct the solicitation activity. Employees of a charitable organization are PFRs if they are paid wholly or in part by commissions – including bonuses – based on funds raised.

If you are unsure if the services provided by a person or firm you contracted with are such that a PFR license is required, provide a copy of the contract with your renewal form and request to have the contract reviewed. You will be notified if you must complete Part II and if the contractor should be licensed as a PFR.

**Verification of license of PFR -** Michigan law requires that you verify that any PFR with which you contract for fundraising in Michigan is currently licensed with this office.

**PFR Contract -** You are required to provide copies of contracts with PFRs within 10 days of signing a new contract or extending an existing contract.

#### Campaign Financial Statement -

Campaign Financial Statements, Form CTS-10, are required for all campaigns conducted by a PFR with which you have contracted, except those who are solely consultants. The Campaign Financial Statement will be filed by the PFR, but you will be required to provide additional campaign expense information and sign the form. Campaign financial statements are due within 90 days of the conclusion of any campaign. If the campaign lasts more than a year, a Campaign Financial Statement must be filed annually.

#### PFR Chart on Renewal Form-

Sum of all payments to / retained by PFR during the year reported – Include all fees, reimbursements, or other payments to the PFR that were related to the campaign or activity conducted by the PFR for the organization. Any monies that were retained by the professional fundraiser before remitting the proceeds of a campaign or activity to the charity must also be

included here. If the PFR listed was engaged after the close of the fiscal year reported in Item 10, enter "N/A" in this column.

<u>Contract type</u> - To qualify as a consulting contract, all of the following conditions must be met:

- the PFR is usually retained by a charitable or religious organization for a fixed fee or rate that is not computed on the basis of funds raised or to be raised;
- the PFR does not solicit funds, assets or property, but only plans, advises, consults, or prepares materials for a solicitation or fundraising event in Michigan;
- the PFR does not receive or control funds, assets, or property solicited in Michigan; and
- the PFR does not employ, procure, or engage any compensated person to solicit, receive, or control funds, assets, or property.

Item 10. An organization registering to solicit must provide a financial statement for its most recently completed fiscal year. If an organization files Form 990, 990-EZ, or 990-PF with the IRS, a copy must be provided with the renewal form. Organizations that do not complete a Form 990, 990-EZ, or 990-PF should complete items 11 and 12 on the form.

The IRS return must be prepared in accordance with IRS instructions. If you do not follow the instructions, we may question the return even if the IRS does not. All applicable schedules and attachments required by the IRS form or instructions must be submitted. However, if you file Form 990 or 990-EZ, do not provide a copy of Schedule B, Schedule of Contributors.

Organizations that file Form 990-EZ. Note – all expenses not in Item 10 as program services will be entered into our database and provided to the public as "Supporting services."

**Item 11. -** Briefly describe the organization's activities or accomplishments during the fiscal period. Provide a sheet if additional space is needed. Do not simply restate the organization's charitable purpose.

**Item 12.** – Complete all lines. You <u>must</u> enter the end date of the accounting period. Do not leave any lines blank. Enter "0" if applicable.

On line D, enter all costs related to conducting the charitable activities and accomplishments discussed in Item 11.

Item 13. Audited or reviewed financial statements requirement - If audited financial statements have been prepared for the year being reported, provide a copy with the renewal form. It is not necessary to complete the schedule.

For all others, complete the schedule to calculate if audited or reviewed financial statements will be required. Total support may be reduced by the amount of governmental grants received during the year.

Audited financial statements must be prepared in accordance with generally accepted accounting principles.

# If audited or reviewed financial statements are required, but they have not been prepared:

- You may request a one-time waiver of the reviewed or audited financial statements requirement. In your request, specify the fiscal year for which the waiver is requested and state that the necessary financial statements will be provided in all future years in which reviewed or audited financial statements are required. If you have already received a waiver of the financial statements requirement for a prior year, engage an auditor and see below to request a conditional registration.
- If the required financial statements are in the process of being prepared or you have already engaged an auditor to perform the necessary review or audit, provide a letter requesting a conditional registration. In your letter, state when you expect the financial statements to be available. Also, provide a copy of the signed engagement letter agreement with the audit firm. The solicitation registration will

include the condition that the required financial statements are to be provided by a specified date.

 The financial statements requirement may be suspended for food banks and similar organizations whose contributions are substantially non-cash. However, suspension of the requirement is unlikely if the organization's cash contributions exceed the audited or reviewed financial statements thresholds, or if donated non-cash items are typically converted to cash. Provide your suspension request with the registration form.

**Item 14.** Select YES and provide the information requested on the form if you are a parent organization that directly supervises and controls a local, county, or area division or chapter that is also a separate legal entity.

Unless previously submitted, you MUST provide:

- appropriate documentation to show that you directly supervise and control the chapter;
- names and addresses of each chapter to be included in your registration; and
- separate financial statements for each chapter

CTS - 02 AUTHORITY 1975 PA 169 PENALTY: civil, criminal

## **RENEWAL SOLICITATION FORM**

	Attorney General File Number	Telephone number		Fax number					
	Employer Identification Number (EI	N) Organization email a	address	Organization website					
ems	s must be answered. Provide addition	al sheets if necessary. If you ha	ave questions, s	ee the instructions.					
Org	anization addresses –  A. <u>Street address</u> of principal person having custody of B. Organization mailing add	the financial records.	ve a principa	I office, provide the name and addre	ess of t				
	C. Provide the address of a	·	n.						
	as there been any change in th	ne organization's purpose	·s?						
If y	es, summarize organization's cur	rent purposes below in 50 v	vords or less.	This summary appears on our website.					
If y	ves, summarize organization's cur	gent located in Michigan	vords or less.	This summary appears on our website.	ganizat				
If y	ves, summarize organization's cur  u <u>must</u> designate a resident a	gent located in Michigan	authorized to	This summary appears on our website.					
If y	ves, summarize organization's cur  u <u>must</u> designate a resident a	gent located in Michigan	authorized to	This summary appears on our website.  receive official mail sent to your orc					
If y	ves, summarize organization's cur  u <u>must</u> designate a resident au  Name  Address (Michigan street address	gent located in Michigan s, not PO box) that apply.	authorized to	This summary appears on our website.  receive official mail sent to your orc					
If y	NameAddress (Michigan street address thods of solicitation. Check all	gent located in Michigan s, not PO box) that apply.  Special event	authorized to	This summary appears on our website.					

	Name	Officer	Director	Name	9	Officer [	Director	
	s there any officer or director f "yes," provide the names a				ailing addres	ss?	Yes	No
. S	Since your last registration form,	has the organization	or any of it	ts officers, directors, e	mployees or	fundraisers:	Yes	No
	A. Been enjoined or other	wise prohibited by a g	governmen	t agency/court from so	liciting? .			
	B. Had its solicitation regis	stration or license der	nied or revo	oked by any jurisdiction	n?			
	C. Been the subject of a p	proceeding regarding	any license	e, registration, or solici	tation? .			
	D. Entered into a voluntary before a court or admir			a government agency				П
lf	f any "yes" box is checked, prov	0 ,					_	_
							Vac	No
	Has the organization engaged a professional fundraiser or fundraising consultant for Michigan fundraising activity for either the financial accounting period reported in item 10 or the current period?							
	Under Michigan law, fundraising definition.  If yes, in the chart below list		•				ity Pr	ovide
	additional sheets if necessar						ity. Ti	Ovide
		sulting – <i>See instruct</i> citation / Event	ions for det	finition				
	Note – You are required to verify that all PFRs under contract for Michigan campaigns are currently licensed.							
					Is contract in effect			
				Sum of all payments	now (as you	If no, enter		
	Nome			to / retained by PFR	now (as you complete	date contract		tract
	Name	Mailing addre	ess	· · ·			Cont	
	Name	Mailing addre	ess	to / retained by PFR	complete	date contract ended		
	Name	Mailing addre	<b>988</b>	to / retained by PFR	complete the form)?	date contract ended	Ту	
	Name	Mailing addre	ess	to / retained by PFR	complete the form)?	date contract ended	Ty A	
	Name	Mailing addre	ess	to / retained by PFR	y	date contract ended End date:	A B	

6. List all current officers and directors unless they are included on your IRS return. Mark the box to indicate whether the person is an officer, director, or both. Provide an additional sheet if necessary.

10	All organizations must report on their most recently completed financial accounting period.								
	Check the box to indicate the type of return filed with the IRS and follow the instructions:								
	Form 990 or 990-EZ - Provide a copy of the return. Do not include Schedule B. Go to item 13 be								
			m <b>990-PF -</b> Provide a copy of the Form 990-PF. Enter the amount the organization spent directly charitable program in the space below. Complete item 11 and go to 13.						
	Total program services expense: \$								
	If your organization does not file the above returns with the IRS, check the appropriate box below to explain the reason, and follow the instructions:								
	☐ Files Form 990-N. Complete 11 and 12 below, then go to 14.								
	☐ Included in IRS group return. Provide a copy of the group return. Complete 11 and 12 below.								
	☐ Other reason. Explain:								
			ete 11 and 12 below.						
-	990-È acocu the pe	Z, or 99 nting per eriod.	section only if directed to in item 10 because your of 0-PF. Complete all lines of the following schedulion being reported. Enter "0" or "none" where appointed the financial accounting period reported belong.	ules. You must enter the end date of the propriate or if you had no financial activity in					
			Revenue						
		_	Contributions and fundraising received	<u> </u>					
		В							
			Total revenue (add lines A and b)						
			Expenses						
		D	Charitable program services expense						
		E	All remaining expenses (supporting services)						
		F	Total expense (Sum of lines D and E)						
		G	Revenue less expenses (subtract line F from line C)						
			Balance Sheet						
		Н	Total assets at end of fiscal period						
		1	Liabilities at end of fiscal period						
		J	Net assets (subtract line I from line H)						

#### 13. Audited or reviewed financial statements requirement

Complete the following schedule to determine if audited or reviewed financial statements are required. If audited or reviewed financial statements are required, but they have not been prepared, see the instructions.

	Item	Where to Find it:	Amount
A.	Contributions from IRS return	Form 990: Part VIII, line 1h; Form 990-EZ: line 1; Form 990-PF: line 1	
В.	Net income from special fundraising events	Form 990: Part VIII, line 8c; Form 990-EZ: line 6d	
C.	Net income from gaming activities	Form 990: Part VIII, line 9c	
D.	Total contributions and fundraising	Add lines A, B, and C	
E.	Governmental grants	Form 990: Part VIII, line 1e; Form 990-EZ: enter governmental grants included above on line A.	
F.		Subtract line E from line D	

After completing the schedule:

- If line F is \$525,000 or more, audited financial statements are required. They must be audited by an independent certified public accountant and prepared in accordance with generally accepted accounting principles.
- If line F is greater than \$275,000, but not greater than \$525,000, financial statements either reviewed or audited by a certified public accountant are required.

14. Do you have chapters in Michigan that are to be included in the solicitation registra Tip: If you have offices in Michigan with no separate reporting or filing requirements, answ	
If yes, provide the following: <ul> <li>a listing of the names and addresses of all Michigan chapters to be included</li> <li>a financial report for each chapter (see instructions)</li> <li>a copy of your organization's IRS group return (if applicable)</li> </ul>	Note – if you have chapters but have not previously informed us of your intent to include them, see the instructions.
15. I certify that I am an authorized representative of the organization and that to the b the information provided, including all accompanying documents, is true, correct, a are prohibited by MCL 400.288(1)(u) and MCL 400.293(2)(c) and are punishable b	ind complete. False statements
Type or print name (must be legible):	
Title: Date:	

THIS IS A PUBLIC RECORD, COPIES OF WHICH ARE SENT, UPON REQUEST, TO ANY INTERESTED PERSON.

### CHECKLIST:

Have all parts of the form been fully completed unless instructed otherwise?
Have you provided the name and Michigan street address of a resident agent in item 3?
Is a list of the officers and directors provided or included with the IRS return?
Have you provided a complete IRS 990, 990-EZ, OR 990-PF?
If you file Form 990-PF, did you complete item 11?
If you file Form 990-N, did you complete items 11 and 12?
If audited or reviewed financial statements are required, are they provided? If not, have you
requested a conditional registration or one-time waiver? (See instructions.)
Are the Form 990 and financial statements prepared for the same reporting period?
Have you submitted contracts and addenda to contracts with professional fundraisers that have
not been previously submitted?
Have you typed or printed your name, date, and title in Item 15 to certify the form?

Return the completed registration form by:			
Email (preferred method)	ct_email@michigan.gov		
Mail	Attorney General Charitable Trust Section PO Box 30214		
Overnight mail	Lansing, MI 48909  Attorney General-CT Section		
	525 West Ottawa Williams Building - 1st Floor Lansing, MI 48933		
Fax	(517)241-7074		